

REMARKS

This application has been carefully reviewed in light of the Office Action dated September 26, 2003 (Paper No. 6). Claims 1 to 9, 15 and 18 are in the application, of which Claims 1, 15 and 18 are independent. Claims 1 to 9, 15 and 18 have been amended and Claims 10 to 14, 16, 17, 19 and 20 have been cancelled. Reconsideration and further examination are respectfully requested.

With regard to a formal matter, the Office Action refers to an Information Disclosure Statement (IDS) filed November 30, 1999, and indicates that the information has not been considered since copies of the references cited were not included with the IDS. Initially, Applicants wish to point out that no IDS was filed in the subject application on November 30, 1999. However and as evidenced by the entry shown in an enclosed copy of a printout from the Patent Office's PAIR system, an IDS was filed on September 11, 2000, a copy of which is enclosed herewith. The September 11, 2000 IDS cited two U.S. patent applications.

With regard to a requirement for copies to be provided with the IDS, it is respectfully submitted that at the time of the filing of the IDS no such requirement existed. More particularly, 37 C.F.R. § 1.98(a)(2)(iii) in effect on September 11, 2000 stated that "no copy of a U.S. patent application need be included" with an IDS. The requirement to submit copies of U.S. patent applications cited in an IDS was introduced with the final rule changes made in support of the Patent Office's Patent Business Goals, which did not take effect until November 7, 2000. (See 65 FR 54604 and 65 FR 54671.) Accordingly and since the September 11, 2000 IDS was filed prior to the November 7, 2000 date and cited two U.S. patent applications, it is believed that it is in compliance with the regulations in

effect at the time it was filed, and the Examiner is respectfully requested to consider the information submitted therein and to indicate that such information has been considered in his next communication.

Claims 1, 4, 15 and 18 have been rejected under 35 U.S.C. § 112, second paragraph. Applicants have amended Claim 4 to broaden the scope of the claim by deleting the term “distinguished manner”. With respect to “predetermined period” used in Claims 1, 15 and 18, the Office Action states that the term has no definite period, and there is no determination in the specification of a definite period. It is submitted that a lack of identification of a specific duration of the predetermined period is not seen to render the subject matter of the claims ambiguous. As recited in the claims, a determination is made based on an absence of input from an instruction input unit for a given, or predetermined, period of time. The meaning of the language of the claims is seen to be clear and unambiguous. In addition, the language of the claims is seen to be fully supported by the detailed description of the invention. The Examiner is respectfully referred to step S1305 of Figure 13 and the discussion thereof in the detailed description of the invention commencing at page 26, line 1. Accordingly, it is believed that the claims are sufficiently clear and unambiguous, and withdrawal of the § 112, second paragraph rejection is respectfully requested.

With regard to the objections raised with respect to the drawings, the specification has been amended to include the references identified in the Office Action. The amendments are believed to be fully supported by the specification and drawings as originally filed.

Claims 1 to 5, 10 and 13 to 20 are rejected under 35 U.S.C. § 102(e) over U.S. Patent 6,426,800 (Mizuno), and Claims 6 to 9, 11 and 12 are rejected under 35 U.S.C. § 103(a) over Mizuno alone or in combination with U.S. Patent 5,513,126 (Harkins).

The present invention generally concerns executing a process based on instructions received via an input unit, and if it is determined that input via the input unit has not been executed for a predetermined period, a display unit is controlled so as to cause the display unit to execute a display based on data received from an external device.

By virtue of this arrangement, it is possible for the display unit to execute the display based on the data received from the external device when input is not received from the input unit so as to no impact processing of input from the input unit.

Turning to the specific language of the claims, Claim 1 defines a data processing apparatus comprising an instruction input, process, connection, display, discrimination and control units. The instruction input unit is arranged to input a manual instruction by the operator, and the process unit is arranged to execute a predetermined process based on the input by the instruction input unit. The connection unit is arranged to connect with an external device. The display unit is arranged to display information based on data received from the external device through the connection unit. The discrimination unit is arranged to discriminate whether the input by the instruction input unit has not been executed for a predetermined period after the instruction input unit inputs a predetermined instruction. The control unit is arranged to cause the display unit to execute display based on the data received from the external device through the connection unit, in case the discrimination unit discriminated that the input by the instruction input unit has not been executed for the predetermined period.

The applied art, namely Mizuno, is not seen to disclose or to suggest the above-identified features, particularly with respect to the control unit causing the display unit to execute display based on data received from the external device in a case that the discrimination unit determines that input by the instruction input unit has not been executed for a predetermined period.

Mizuno is seen to describe using an image forming device, such as a digital copier, as an interface to external input/output (I/O) devices and to the selection of an I/O device from the displayed devices. (See Mizuno, Abstract, Figure 8, col. 2, lines 5 to 51) When both an input device connected to the copier and an output device are selected, Mizuno is seen to describe determining whether the combination of input and output devices selected are compatible, at col. 11, lines 30 to 49. For example, Mizuno describes that image data input from a liquid video camera cannot be output to a facsimile machine, since there is an incompatibility in resolution. Where one or both of the input and output devices have been selected, Mizuno is seen to describe displaying an operation panel display corresponding to the selected device in the digital copier's display.

However, nothing in the cited portions of Mizuno is seen to disclose or to suggest a control unit causing the display unit to execute display based on data received from the external device in a case that the discrimination unit determines that input by the instruction input unit has not been executed for a predetermined period.

Harkins is not seen to remedy the deficiencies noted with respect to Mizuno.

Therefore, for at least the foregoing reasons, Claim 1 is believed to be in condition for allowance. Further, Applicants submit that Claims 15 and 18 are believed to be in condition for allowance for at least the same reasons.

The remaining claims are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,


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